

Abstract

Rigorous title: **Civil disputes between the doctor and the patient**

Medical law is a progressive interdisciplinary law linking both public and private law. Health is one of the most important attributes of human life. The existence of possible harm resulting from an unlawful act of a doctor may be extremely sensitive to the patient. Then the patient facing the specific issues in dealing with such a harm.

There is a high rate of informational inequity between the patient and the doctor. The patient as a plaintiff needs to be balanced with available and effective instruments. These are, in particular, procedural instruments of a civil court, but also alternative dispute methods can correct this imbalance about informational inequity.

This rigorous consists of four main chapters. The first chapter deals with the incorporation of medical law into the legal system of the Czech Republic, deals with the definition of the substantive relationship between the doctor and the patient and its content requirements, and further defines the possible violations of the duties on the part of the doctor and their consequences. The second chapter deals with the civil disputes between the doctor and the patient in the provision of health care. In this part there is the procedural relationship between the doctor and the patient defined as well as the evidence in civil process, including the description of patient information deficit. The conclusion of the second chapter is devoted to the analysis of selected judicial cases - on fundamental medical issues, so that the author reflects on how the theoretical knowledge described in the previous chapters is used. The third chapter then discusses the most similar relationship between a doctor and a patient, namely the relationship between a natural healer and his customer, and compares the differences in the legal concept of these two disciplines. Fourth part of rigorous describes the alternative dispute methods in the health care sector, with a basic comparison of out-of-court solutions in the UK, Germany and Austria.

The aim of the work is to summarize the issue of civil disputes between doctor and patient in czech medical law, to evaluate the current situation, and to point out the possibilities of effective resolution of the dispute at the pre-trial stage.

This rigorous is kind of theoretical thesis. It is based on the analysis of current sources of medical law – current czech legislation. In addition to these laws, the rigorous is also based on the analysis of professional literature, case law and other available sources.

Keywords

Civil disputes

Civil liability

Damage